



*Representing the Diocese of Fargo
and the Diocese of Bismarck*

103 South Third Street
Suite 10
Bismarck ND 58501
701-223-2519
ndcatholic.org
ndcatholic@ndcatholic.org

To: Senate Education Committee
From: David Tamisiea, Executive Director
Date: March 24, 2025
Re: HB 1144 — Enforcement of Transgender Accommodations in Public Schools

The rule of law is a fundamental principle that refers to the notion that all individuals and institutions are subject to the law. It means that laws govern a political community, rather than arbitrary decisions by individuals or groups. As John Adams famously stated, “we are a government of laws, and not of men.” Simply stated, no one is above the law.

House Bill 1144 is about following the rule of law. It seeks to amend Section 15.1-06.21 of the North Dakota Century Code by adding an enforcement mechanism and penalties for those who violate this law. This section of the North Dakota Century Code was enacted by North Dakota’s 68th Legislative Assembly during the 2023 legislative session. It established common-sense and balanced rules regarding the use of preferred gender pronouns and restroom accommodations for transgender students in public schools. The original bill had a provision for suing a school district for violating the law, but it was taken out and never put back in.

After the law was passed in 2023, the Superintendent of the Fargo School District publicly defied the law and refused to comply with it. The spokeswoman for the District stated to news outlets that the Fargo public schools would continue to allow students to use the restroom that aligns with their gender identity. Because there was no enforcement mechanism in place, there was no evident consequence to the school district for breaking the law.

As this unfortunate incident makes clear, Section 15.1-06.21 needs an enforcement mechanism. We ask for a **DO PASS** recommendation on HB 1144.